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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDDIE ARMAIL JULIAN-BEY,
ERVIN SMITH-EL, RICHARD LEE JOHNSON,
BAHAA SHAKIR KALASHO, JON JOHNSON-EL,
HARALAMBOS BOBBY MANETAS,
MARK ANTHONY JULIAN-BEY,
LEONARD L. JOHNSON-EL,
CHARLES TABU McGEE-BEY, MALIJAH GEE,
ALDIYA ALI-WAJID, CHAD EDWARD WHITELY,
JSIDRO GUARELUPE GARAZA, JR., and
JESUS ROBERTO GARCIA,

Plaintiffs,

v.

JENNIFER M. GRANHOLM,
MICHAEL A. COX, and
PATRICIA L. CARUSO,

CASE NO. 07-14372
HON. NANCY G. EDMUNDS
MAGISTRATE JUDGE MORGAN

Defendants.

FILED

OCT 31 2007

CLERK'S OFFICE, DETROIT-PSG
U.S. DISTRICT COURT

**ORDER TRANSFERRING CASE
TO THE WESTERN DISTRICT OF MICHIGAN**

Plaintiffs are state prisoners who have filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. Defendants are: Jennifer M. Granholm, Governor for the State of Michigan; Michael A. Cox, Attorney General for the State of Michigan; and Patricia L. Caruso, Director of the Michigan Department of Corrections.

A threshold question is whether venue is proper in this District. The proper venue in civil actions in which jurisdiction is not founded on diversity of citizenship is the judicial district where (1) any defendant resides if all defendants reside in the same state, (2) a substantial part of

the events or omissions giving rise to the claim occurred or a substantial part of property that is the subject of the action is situated, or (3) any defendant may be found if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b). Public officials "reside" in the county where they serve. *O'Neill v. Battisti*, 472 F.2d 789, 791 (6th Cir. 1972).

Defendants "reside" in Ingham County where their main offices are located. Ingham County lies within the Western District of Michigan. *See* 28 U.S.C. § 102(b)(1). Furthermore, all but two of the plaintiffs are incarcerated in the Western District of Michigan, and a substantial part of the events or omissions giving rise to this cause of action arguably occurred there. Therefore, the Clerk of Court is ordered to transfer this case to the United States District Court for the Western District of Michigan pursuant to 28 U.S.C. §§ 1391(b) and 1406(a).

s/R. STEVEN WHALEN

R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: October 31, 2007